

§112 Rejection

§102 and §103 Rejections

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Docket No.: 08212/0200342-US0

Allport in view of U.S. Patent No. 6,453,160 to Thomas et al. (hereinafter “Thomas”). Claim 18 was rejected under 35 U.S.C. §103(a) as unpatentable over Allport in view of U.S. Patent No. 6,765,557 to Segal et al. (hereinafter “Segal”). The Applicants traverse these rejections.

Each of the independent claims 1, 28, and 35 recites a mobile terminal that is capable of receiving and displaying graphical information in a first format and transmitting the graphical information in a second format to a display device or external display over a wireless RF link. Allport teaches a system having a remote control, a base station, and a television. The specific embodiment referenced in the Office Action has the base station and remote control combined. There is not much detail provided regarding this particular embodiment, but Allport states:

Similarly, if the base station 75 is physically integrated with the remote control 10, there is no need for the base station 75 to “send” video signals to the remote control 10, and the associated communication channels (indicated by arrows 110 and 115) would not be required. In [this] case, the RF communications hardware could then be eliminated, producing additional cost savings, size reduction, maintenance benefits, etc.

(Col. 12, lines 51-58, emphasis added.) In this embodiment, Allport teaches the elimination of RF communications hardware. Thus, any signal to the television can not be transmitted by RF which is the primary communication medium for graphical information signals such as video signals. Therefore, the Applicants submit that Allport does not teach transmitting graphical information from the remote control to the television over a wireless RF link. Although there are few details about this particular embodiment in Allport, it appears that Allport envisioned a remote control/base station that provides control signals to the television (via IR, etc.). The television could receive the broadcast video from broadcast television signals using its own tuner and then process the video in accordance with the control signals from the remote control.

Allport does not teach or suggest a mobile transmitter that is capable of receiving and displaying graphical information in a first format and transmitting the graphical information in a second format to a display device or external display over a wireless RF link, as recited in the present claims. None of the other cited references address this deficiency of Allport. For at least these reasons, the Applicants respectfully submit that claims 1, 28, and 35, as well as claims 2, 5-9,

11, 12, 14-18, 21, 24-27, 29, 31-34, and 36 which depend therefrom, are patentable over the cited references. Accordingly, the Applicants request withdrawal of the rejections of these claims.

Dependent claims 2, 5-9, 11, 12, 14-18, 21, 24-27, 29, 31-34, and 36 include additional patentable features. For example, claim 8 recites a means for informing said mobile terminal of a display capability of the display device. The Office Action asserts that it would be inherent that the TV should inform the mobile device (i.e., remote control) of the display capability of the TV. This is not an inherent feature of the remote control. The remote control need not know the display capability of the external device. For example, the remote control can be configured to send out control signals that the TV will then translate according to its own capabilities. The remote control could be ignorant of the display capability of the television and still operate. Thus, the disclosure of the cited references does not rise to the level of inherency required to reject this claim. “The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.” M.P.E.P. §2112. “[T]he allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” M.P.E.P. §2112.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: August 11, 2005

Respectfully submitted,

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